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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of David L. Brown et al.

Art Unit 1624

Serial No. 10/734,829

Filed December 12, 2003

Confirmation No. 5321

For FLUORO-SUBSTITUTED BENZENESULFONYL COMPOUNDS FOR THE
TREATMENT OF INFLAMMATION

Examiner Zinna Northington Davis

March 25, 2005

LETTER TO PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

This letter is in response to the Office action of October 25, 2004, the time for response to which is extended to March 25, 2004, by the attached payment of the fee required under 37 C.F.R. §1.136(a).

Reconsideration is respectfully requested of the rejection of claims 2, 3, and 121 under 35 U.S.C. §102(b) as anticipated by compound 6 of Japan Tobacco Inc. (Reference 74). Reference 74 is in the Japanese language, but applicants believe that this reference is analogous to U.S. Pat. No. 6,362,209. For anticipation under 35 U.S.C. §102, the reference must disclose every aspect of the claimed invention either explicitly or inherently. In the instant situation, this burden has not been met.

Claim 121 is directed to a composition comprising a therapeutically-effective amount of a combination of a compound of Formula I and a second active compound, e.g., a 5-lipoxygenase inhibitor as was elected for examination purposes in the Response to Restriction Requirement filed August 17, 2004. The '209 patent, however, does not disclose a composition combining a compound falling within the scope of Formula I and another active compound. Instead, the reference merely discloses a compound.

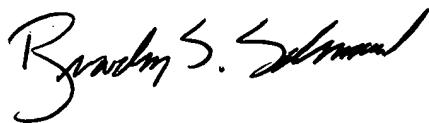
As claims 2 and 3 ultimately depend from claim 121, and thus incorporate all of the limitations thereof, these claims are also not anticipated by Reference 74.

Reconsideration is also requested of the rejection of claims 4-95 as being dependent upon a rejected base claim. Claims 4-95 ultimately depend from claim 121, which, as discussed above, is not anticipated by Reference 74. Consequently, this rejection is moot.

In light of the foregoing, applicants request withdrawal of all claim rejections and objections and solicit an allowance of the claims. The Examiner is invited to contact the undersigned attorney should any issue remain unresolved.

The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

Respectfully submitted,



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BSS/skd
*Enclosure